vict laborer, hired out by the state. There are few cases upon this proposition. But the law seems to be that the lessee is liable for a failure to furnish a safe place to work and safe appliances. *Dalheim* v. *Lemon,* 45 Fed. 225; *Hartwig* v. *Shoe Co.,* 43 Hun 425; *Dade Cole Co.* v. *Haslett,* 83 Ga. 549. Also the law is that the convict can recover if hurt because of going into a dangerous place under order of a guard, even though the danger is obvious. *Chattahouchee Brick Co.* v. *Braswell,* 92 Ga. 631. But a recovery may be denied because of the contributory negligence of the plaintiff. *Rayborn* v. *Patton,* 11 Ohio Dec. 100; *Hartwig* v. *Shoe Co.,* 118 N. Y. 664. In short, the law appears to be that the principles of the law of master and servant apply so as to bar a recovery for a failure of the convict to perform *his* duty, as in the case of contributory negligence; but that they do not apply with reference to the assumption of risk, or in the case of the negligence of another servant of the lessee, as the convict has no choice or freedom of action in these latter cases.

MASTER AND SERVANT—MEDICAL TREATMENT—CHARITIES.—A railroad company deducted a certain sum from the wages of employees, and made a contract with a competent surgeon to treat said employees in his hospital, in consideration of the fund so collected. *Held,* that the company was not liable for malpractice, by the doctor, on one of its employees. *Texas Cent. R. Co.* v. *Zumwalt* (1910), — Tex. —, 132 S. W. 113.

If a railroad, not for the pecuniary profit of the road, maintains a hospital for the treatment of its employees it is subject to the rule governing charitable corporations. *Eighmy* v. *U. P. R. Co.,* 93 Ia. 538; *Laubheim* v. *Koninglyke,* 107 N. Y. 228. The situation is not changed by the fact that the parties contribute, if the contributions are not a source of profit to the owner. *Hanway* v. *Galveston R. R.,* 94 Tex. 76. However, the courts divide as to the liability of charitable corporations. Some hold them to the same liability as a private corporation. *Donaldson* v. *Commissioners,* 30 New Brunswick, 279; *Glavin* v. *R. I. Hospital,* 12 R. I. 411. Some do not impose any corporate liability. *Downes* v. *Harper Hospital,* 101 Mich. 555; *Fire Ins Patrol* v. *Boyd,* 120 Pa. 624. The majority of courts are with the principal case, and only require that the corporation use due care in the selection of employees. *Hearns* v. *Waterbury Hospital,* 66 Conn. 98; *Powers* v. *Mass. etc. Hospital,* 109 Fed. 294; *Conner* v. *Sisters of the Poor,* 10 Ohio Dec. C. P. 86; *Corbitt* v. *St. Vincent's Industrial School,* 79 App. Div. 334.

MUNICIPAL CORPORATIONS—CONTROL OF—CONSTITUTIONAL LAW—SELF-EXECUTING PROVISIONS.—Plaintiff sought to enjoin the defendant city from issuing bonds for the purpose of procuring the location of a Normal School in the defendant city, in accordance with a special law (Laws 1910, c. 120) empowering such action on the part of municipalities, on the ground that said law is unconstitutional in that it is violative of § 80 of the Mississippi Constitution which requires that provision be made by general laws "to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money and contracting debts." *Held,*